

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.1865 OF 2006

Sanjay Sitaram Khemka ..Petitioner

Vs.

The State of Maharashtra and Ors. ..Respondents

Petitioner in person present

Mrs.S.D.Shinde, A.P.P. for the state

**CORAM : J.N.PATEL &
SMT.ROSHAN S.DALVI, JJ.**

DATED : 1ST SEPTEMBER, 2006

P.C.:

1. There is a Nonailable Warrant issued against the petitioner by the 31st Metropolitan Magistrate's Court, returnable on 30.8.06. The petitioner failed to appear. He states that he appeared in the High Court instead.

2. The petitioner has three cases against him in three different Metropolitan Magistrate's court. The petitioner has sought transfer of these cases before a single Magistrate so that it would be

convenient for him to appear in that court and defend himself.

3. The petitioner may make an application under section 410 of the Cr.P.C. before the learned Chief Metropolitan Magistrate for transfer of cases as provided in that section such that they would be tried either by C.M.M. himself or any one Magistrate.

4. The petitioner shall appear before each of the three courts on the due dates without fail. If a Non Bailable Warrant is issued against him, the petitioner shall appear as directed and furnish bail before the Magistrate. This shall be condition precedent for making the application before the Chief Metropolitan Magistrate. The NBW issued against the petitioner by any court is neither cancelled nor stayed. With these directions, petition is disposed of.

(SHRI J.N. PATEL, J)

(SMT.ROSHAN DALVI, J)